

TRANSMITTAL LETTER TO THE UNITED
STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING UNDER
35 U.S.C. 371

Date of Mailing:
07 February 2005

Attorney Docket No.
1282-P02956US01

U.S. Application No. (if known)
Not yet assigned **10/524313**

Express Mail Label No.:
EV374764162US

Int'l Application No.
PCT/US03/25166

Int'l Filing Date
11 August 2003

Priority Date Claimed
09 August 2002

TITLE OF INVENTION
COMPOUNDS, COMPOSITIONS AND METHODS FOR TREATING OR PREVENTING PNEUMOVIRUS INFECTION AND
ASSOCIATED DISEASES

Applicant(s) for DO/EO/US

RYS, David J.; NITZ, Theodore J.; GABOURY, Janet A.; BURNS, Christopher J.; PEVEAR, Daniel C.; LESSEN, Thomas A.; and
HERBERTZ, Torsten

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

Certificate of Mailing by Express Mail Under 37 C.F.R. §1.10

Copy of Form PCT/IB/308

Check in the amount of \$850.00

U.S. Application No.
Not yet assigned

10/524313

International Application No.
PCT/US03/25166

DT01 Rec'd PCT/PTC 07 FEB 2005
1282-P02956US01

21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. \$1,080.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO. \$920.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT = \$100.00

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date \$0.00

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	35 -20	= 15	50.00	\$750.00

Independent Claims	3 -3	= 0	200.00	\$0.00
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MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$290.00 \$0.00

TOTAL OF ABOVE CALCULATIONS \$850.00

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2 \$0.00

SUBTOTAL = \$850.00

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 ☐ months from the earliest claimed priority date (37 CFR 1.492(f)) \$0.00

TOTAL NATIONAL FEE = \$850.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40** per property + \$0.00

TOTAL FEES ENCLOSED = \$850.00

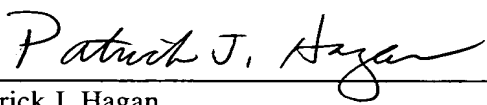
a. ☒ A check in the amount of \$850.00 to cover the above fees is enclosed

b. ☐ Please charge Deposit Account No. 04-1406 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 04-1406. A duplicate copy of this sheet is enclosed.

SEND ALL CORRESPONDENCE TO:

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**CERTIFICATE OF MAILING
BY EXPRESS MAIL UNDER 37 C.F.R. \$1.10**

NUMBER OF EXPRESS MAIL MAILING LABEL: EV374764162US
DATE OF DEPOSIT WITH POSTAL SERVICE: February 7, 2005

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. \$1.10 on the date indicated above, and is addressed to the COMMISSIONER OF PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450.

Caren Burgoon

Typed Name of Person Mailing Paper or Fee

Caren Burgoon

Signature of Person Mailing Paper or Fee

Re: New Patent Application
(National Phase of International
Patent Application No. PCT/US03/25166
Entitled: Compounds, Compositions and Methods
for Treating or Preventing Pneumovirus Infection
and Associated Diseases
International Filing Date: 11 August 2003
Earliest Claimed Priority Date: 09 August 2002
Our File No. 1282-P02956US01

Enclosures:

- Transmittal Letter to the DO/EO/US Concerning a Filing Under 35 U.S.C. §371 (in duplicate)
- Preliminary Amendment
- Copy of Form PCT/IB/308
- Check in the amount of \$850.00